

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOHN M. CARTER, and all other  
persons Similarly situated, and  
KRISTINA M. CARTER, and all other  
persons Similarly situated,

Plaintiffs,

v.

JAMES THIELE, individually, and in  
their Official capacities as Omaha  
Planning Department Officials, CHRIS  
WAYNE, individually, and in their  
Official capacities as Omaha Planning  
Department Officials, MATTHEW  
JACKMAN, EHRHART, GRIFFIN &  
ASSOCIATES, HARRISON WOOD,  
BRIGHTON CONSTRUCTION, Co.,  
FERNANDO PAGES, OMAHA, CITY  
OF, and DOES 1-15, inclusive,

Defendants.

8:08CV217

ORDER OF DISMISSAL  
WITHOUT PREJUDICE

This matter comes before the court on the Plaintiffs' Motion of Dismissal Without Prejudice ([Filing No 37](#)). The court, being fully advised in the premises, finds that the motion complies with the requirements of Fed. R. Civ. P. 41(a)(1)(A)(i). Accordingly,

IT IS ORDERED:

1. The Plaintiffs' Motion of Dismissal Without Prejudice (Filing No. 37) is granted;
2. The Complaint (Filing No. 1) is hereby dismissed without prejudice; and
3. The parties will pay their own attorney fees and costs.

DATED this 19<sup>th</sup> day of June, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge